

saw Greig about 8 p. m.; he had a revolver and a cartridge belt around his waist; Greig admitted to the witness that he was one of the leaders of the rebellion; he saw Marshall, who was armed also; he was talking to the men; the witness could not hear what he said; Marshall appeared to be quite active; he told witness that he was there to assist in overthrowing the Government; the witness closed his direct examination by stating that the rebels were very kind to the prisoners.

Cross-examined—No overtures were made to him to join the rebels.

Carl Luckinger, another man who was restrained by the rebels said, that he was one of the parties captured by Wilcox at Diamond Head; he was kept from 2:30 o'clock on Sunday until 9 a. m. the following morning; he saw Greig walking around among the men; he was armed with a rifle and a revolver; he saw him first at dusk; saw him again on the following morning when the prisoners were released; he did not hear Greig make any statement as to the intentions of the rebels; he saw Wilcox and Marshall also; the latter was armed with a bowie knife, revolver and rifle; Biplane had charge of the prisoners.

No cross-examination.

Charles Warren was the next witness. He said that he was a soldier in the



FIRST LIEUTENANT J. W. JONES, COMPANY D, N. G. H.

Household Guards for a number of years; he was at Kahala, near Diamond Head, on the 6th inst.; he reached there on Saturday evening about 6 or 7 o'clock; he left the place mentioned the next evening; there were thirty or forty men under command of Sam Nowlein; they went towards the old lookout station on Diamond Head; Nowlein was with them; Widemann accompanied the party also; he did not know just what position Widemann held; they left Kahala for the purpose of coming in town to restore the ex-queen; he carried two bombs which were handed to him by Nowlein; two were given and carried by Widemann; Nowlein's instructions were to throw them if they found that their arms were not effective; Nowlein explained how to ignite the fuses; after the witness deserted he hid the bombs near Perry's place; he was present when the battle took place at Kamoliili; Widemann took part in the fight; he saw Marshall at Kahala on Sunday; Wilcox's headquarters were at Kaalawai; Marshall took fifteen men to the latter place; he was armed; witness saw Greig also; he was not armed when he first appeared.

Cross-examined—Widemann and witness were the only two that had bombs; Nowlein gave the instructions at Kahala. The witness admitted that he fired some shots at Kamoliili.

After a brief recess a native named Hookano was called; he saw Greig and Widemann; the first at Kaalawai, the latter on the Waialae road; he saw Marshall also; when the engagement at Kamoliili took place Marshall was running from the direction of Diamond Head to where they were; Marshall talked to Nowlein for a short time and then departed; the young man was armed; when Greig was at Kaalawai he wanted to send some men after Bill Widdifield and some others who had gone ahead; Palau and thirteen others started out for Widdifield; there were a great many people present at this time, all armed; he went along with Palau; when they reached Iseberg's cattle pen they were halted by Nowlein; Greig, Widemann and about twenty others; the men mentioned all took part in the fight at Kamoliili; Warren was present also.

Cross-examined. He did not know how many were killed in the engagement; he did not see any one belonging to the Government troops carried away; Widemann was quite near him when the fight was going on; the witness and seven others surrendered.

AFTERNOON SESSION.

Interest in the trial and outcome of the charges against the participants in the late uprising continues unabated. The attendance was as large in the afternoon as at any previous session.

Minister Willis, Commissioner Hawes and Senator Canavaro were in attendance as usual.

Young Louis Marshall, being an American, has asked protection of Minister Willis.

At 1:15 p. m. the Commission commenced business. Judge-Advocate Kinney asked that Mr. Marks be sworn in as assistant reporter, which was done. He also gave notice that the prosecution closed.

Evidence for the defense was then begun. Counsel Neumann called Robert W. Wilcox to the stand. Wilcox gave his testimony in a straightforward manner and seemingly had no desire to deny the part played by him in the rebellion.

After stating that his name was Robert W. Wilcox and that he resided in Honolulu, the witness recounted the opening events connected with the outbreak of hostilities. He knew nothing of the movement until about a week before it commenced; on Sunday, January 6th, went out to Kaalawai; reached there about 4 o'clock in afternoon; was ordered there to take charge of Kanakas; the two places are about one-third of a mile apart; finished cleaning areas about 6 o'clock; right after that time some men arrived and told of a squad of policemen at Bertelmann's; replied that their presence would check natives coming from Honolulu; on receipt of this news the witness about twelve men; ordered them to be armed with pistols and to go to Bertelmann's and surround police and capture them; another squad was detailed with rifles and instructed to assist first squad; after first squad left learned they were armed with rifles, notwithstanding my order; took another squad and went down there myself; while on the way learned from outside sentinels that first squad had quarreled among themselves; several wanted to be leaders; they had been drinking; afterward met second squad; was told that Lot Lane took ten men and went to capture police; ordered whole party to march to McKenzie's house near Beckley's; while en route heard shots; was told some of the boys had shot at policemen; also that firing had been returned by officers; soon as heard firing knew thing all over; gave orders for all to go to position along Diamond Head; intended to remain there until morning and try to make some terms with Government; heard more firing and sent squad down to stop firing and call every one back; told them to stop this nonsense; some those who came back were drunk; this about 9 o'clock in evening; heard more firing toward Bertelmann's; thought all men being massacred; Lane boys were missing; thought they had been killed; first squad sent out under command of young Wm. Pus; about twelve men in this squad; distributed men all along beach and told them to hold defensive position till daylight, until could see what to do; witness went up with men on top Diamond Head; stationed three men on top and three on mauka side; returned to Kaalawai next morning; took rest of one hour; messenger came and told of fighting at Bertelmann's with Government troops; took more men; ordered them to hold defensive position; firing continued; cannon commenced shelling; that time Nowlein was holding Waialae road; wanted to consult with men; thought perhaps could make terms of surrender with Republic; afterward ascertained that cannon was shelling position of Nowlein; my men did not take part in that fight; saw tag coming out from Honolulu; my men scattered when they saw this; Nowlein's men also scattered; all us head starved; went down side Diamond Head into banana patch to get food; did not see Nowlein after Monday; didn't know whether Lanes were killed; was cognizant of attempted revolution on Sunday of the week before; was called upon to join account of Hawaiian revolution; Hawaiians wanted their queen back; this was the basis of revolution; gave up fight after the first day; Tuesday and Wednesday crossed into Manoa Valley; was fired into by Government troops at times; my men answered; afterwards worked across to Nuuanu into Kalihi; was arrested there; didn't care to call any names; after some hesitation, witness said he saw Greig, Marshall and Widemann Sunday evening at Kahala; didn't see them fight; never saw them afterwards.

Cross-examined by Judge-Advocate: Was told affair would come off on Thursday before it occurred; didn't know anything about landing of arms; witness admitted having stood up some specials at Kakaako on Thursday evening; went there on order; went there to do my part; knew on Friday that had done something against law; thought might as well see it out then; Greig and Widemann was with witness that Thursday night; made no belts for rebels; made one for myself; made it on Thursday; made two or three different times; Greig, Widemann and witness couldn't get out of it after doing what we did. Witness has resided in Honolulu four years; was born July 7, 1875.

Carl Widemann was the next witness called. He recited the events of the opening of hostilities. Told about the same story as the two preceding witnesses; was born in the islands and was twenty-seven years of age. He admitted his connection with the rebellion; fired two or three shots during whole trouble; range was too long and gave it up; knew Charlie Warren; he was with our party; Nowlein had a bag full of bombs; gave two to Warren and offered two to me; witness refused to take them; was told by Nowlein to put them in my overcoat pocket and take them along; our party retreated up the hill after cannon commenced firing; witness took the bombs and hid them behind a rock (afterwards found there with an overcoat belonging to Widemann by Captain Paul Smith, of Company A); Nowlein gave witness no instructions what to do with the bombs; witness didn't see the bombs since. (No cross-examination.)

James Lane—Witness lives at Koolau; told by his elder brother to come in and join the rebels; went out to Kaalawai on Sunday night; found Warren there; told to go over and capture signal station; William Pus was in command of the party; captured the place and persons found there; saw Ross and some white ladies there; we were armed with revolvers; took prisoners over to house beyond signal station and left them there; afterwards went back to Bertelmann's with Pus; witness told about the firing at Bertelmann's house and the part he took in the same; witness and his nephew was inside the boat house with another man; saw man fire and a man fall right in front of the entrance of the boat house; couldn't see very well; think person that fell was a stout white man.

Cross-examined—Myself and nephew about fathom from entrance boat house; can't say how many shots fired from canoe shed; think more than one shot was fired; then came one shot followed by another; then we ran; started to run soon as second shot was fired; about one minute intervened between shots; (here revolver with tag bearing name of witness was introduced); witness couldn't say whether it was the one he had at the time; had one like it; policeman took pistol from witness; either Parker or Luahiwa; had not fired revolver; (revolver of 44-calibre and carried same cartridge as used in rifles of rebels. Three empty shells found in revolver. Admitted by officer who took pistol from Lane that he fired three shots out of same after exhausting his own weapon). Witness and nephew ran to bath house; was arrested as soon got there; ran to get away; ran in opposite direction of my people; was told not to fire until ordered; witness shot a shot that evening; our squad was told to scatter around yard; went in boat house to sleep; some of men were in Beckley's yard; Wilcox came to Bertelmann's with some of his squad; he did not talk with witness; saw him talking with others; our leader gave no order to leave; stayed in shed until man been shot; saw man in front of shed; saw him through cocconut leaves; after shots were fired saw him fall; heard woman cry out some time before that police were coming; shots were far enough apart to allow person to work magazine if used to handling gun.

To Court—Am going on 21 years; never will be 19 years till next day. Counsel Neumann announced that he had further evidence for the defense would be introduced.

Nowlein and Bertelmann refused to make any statement on their own behalf.

Colonel-Judge Whiting announced that the Commission was ready to hear argument of counsel.

Attorney Neumann requested that both he and Mr. Rosa be allowed to address the Court. They represented the defendants separately and collectively. After a few moments consultation with members of the Court, Colonel-Judge Whiting granted the request asked for.

At 3:40 p. m. Counsel Rosa, representing W. C. and James Lane, began his address to the Court. He reviewed the testimony throughout as far as it connected these defendants with the killing of Chas. L. Carter. His address occupied but a few moments, and during the time a strong plea was presented for clemency to the accused. He especially called attention to the fact that the public at large had condemned the Lane boys as being murderers, and paid the Judge-Advocate a high compliment for the masterly effort made by him in gathering testimony showing that they had no connection with the killing of Mr. Carter. Attorney Rosa paid a high tribute to the memory of Mr. Carter and regretted the death of that gentleman.

Attorney Paul Neumann followed. He began his address by stating his former contentions that the Court had no authority or jurisdiction to try the defendants. The Commission was a law unto themselves and could condemn the prisoners to death if they so desired, and no recourse could or would follow. His address was a masterly effort for mercy. He cited many incidents in history showing the humane action towards persons placed in positions similar to his clients. His argument was listened to with careful attention by both the court and all those present. His demeanor throughout was tragic and convincing, and was, in every respect, a strong, dramatic and realistic argument in favor of leniency to those connected with the rebellion. Mr. Neumann made allusion to his advocacy in favor of the Republic, and spoke feelingly of the causes which brought about the rebellion. Although there was no law under which the accused could be banished from the country, he sincerely hoped that such a course would be taken cognizance of in determining the fate of those misguided persons now on trial.

Judge-Advocate Kinney did not care to take advantage of the occasion to stir up sectional hatred, but the Government and the people who risked their lives in putting down the rebellion demanded that an end be put to these uprisings. He

thought those who had incited and made possible the attempt should suffer to a greater extent than those who had taken part in the rebellion. He feelingly referred to the parties who had contributed money to purchase the arms, and denounced them as cowards of the most malignant type. These white-skinned and villainous individuals were not in the front ranks of the rebellion, but skulking in their holes. If human law could reach them they would be treated without mercy. He declared that the time had come when these uprisings should and must cease. Those representing and supporting the present and only lawful Government demanded a fair, just and reasonable decision at the hands of the Commission.

It was the intention to hold an evening session extending through Sunday, but owing to the fact that the Judge-Advocate was not prepared to go on with the case against the next defendant to be tried, it was concluded to adjourn until 9 o'clock Monday morning.

At 5:10 p. m., the Commission adjourned as requested above. The prisoners were then marched back to prison by a detail of Co. A under Captain Paul Smith.

BY AUTHORITY.
PROCLAMATION.

EXECUTIVE BUILDING,
HONOLULU, H. I., January 7, 1895.

The right of WRIT OF HABEAS CORPUS is hereby suspended and MATERIAL LAW is instituted and established throughout the Island of Oahu, to continue until further notice, during which time, however, the Courts will continue in session and conduct ordinary business as usual, except as aforesaid.

By the President:
SANFORD B. DOLE,
President of the Republic of Hawaii.

J. A. KING,
Minister of the Interior.

NOTICE.
Special Orders, No 26.

The Military Commission now in session in this city, convened by Special Orders No. 25, dated January 16, 1895, from these Headquarters will hold its sessions without regard to hours.

By order of the Commander-in-Chief,
JNO. H. SOPER,
Adjutant-General.

Adjutant-General's Office, Honolulu,
January 19, 1895. 3897 tf

Sale of Government Lots in the District of Hilo, Island of Hawaii.

On MONDAY, January 7, 1895, at 12 o'clock noon, at the front entrance of the Executive Building, will be sold at Public Auction 17 Lots of Government Land in Kaunama, Kahoahana, Paana and Laupahoehoe, Hilo, Hawaii.

The Kaunama Lots are situated from three to five miles above the town of Hilo, and are suitable for the cultivation of coffee and other agricultural industries.

The Kahoahana, Paana and Laupahoehoe Lots are situated in what is called the North Hilo Coffee Belt, and they are in the immediate vicinity of the Barnard Coffee Plantation.

KAUNAMA LOTS.

No. of Lot. Area. Cost of Survey. Upset Price.

17 91.70 \$63.65 \$92.00
20 117.90 81.80 89.00
21 106.80 74.15 54.00
22 116.00 80.50 58.00

KAHOAHA LOTS.

10 43.2 \$28.10 \$216.00
11 63.8 41.45 314.00
12 72.7 47.25 364.00
13 66.9 43.50 335.00

PAANA LOTS.

8 17.4 \$23.00 \$87.00
9 9.6 12.00 48.00

LAUPAHOEHO LOTS.

2 24.8 \$16.10 \$75.00
3 19.9 18.95 100.00
4 12.4 10.15 38.00
5 92.3 60.00 370.00
6 104.2 67.75 417.00
7 20.7 16.55 104.00
8 a. 81.1 52.70 406.00

TERMS AND CONDITIONS.

No person will be allowed to purchase more than one lot.

The terms of the sale are cash, or, at the option of the purchaser, one-fourth of the purchase-price cash and the remainder in equal installments in one, two and three years, with interest payable semi-annually at the rate of seven (7) per cent. per annum.

Each purchaser shall begin substantial cultivation and improvement of his lot during the first year and shall continue such cultivation through the succeeding two years.

At the end of the third year, if all conditions have been performed by purchaser, he shall receive Patent conferring Fee Simple Title.

Failure to perform the above conditions shall work forfeiture of interest in the land.

In case of forfeiture, land to be sold at auction by the Government; and if such sale result in advance on the original price, the original purchaser to receive therefrom the amounts of his payments to the Government on account of purchase without interest, and a pro rata share in such advance in proportion to the amounts of his payments. If such sale shall result in a lesser price than the original, the amount of his payments returned to him shall be charged with a pro rata amount of such decrease proportioned to the amount of his payments.

An agreement shall be signed by each purchaser with the Government covering these conditions, and any assignment of such agreement shall work a forfeiture thereof.

Each purchaser shall pay the cost of survey and plotting of the lots immediately after the sale, together with the first installment of the purchase price.

The map showing survey can be examined at the Land Office, Interior Department, and at the office of A. B. Loebenstein, Hilo, Hawaii, where full information can also be obtained in this regard.

J. A. KING,
Minister of the Interior.
Interior Office, December 1, 1894.

The above sale is postponed to February 13th, 1895, at the same place and hour.

J. A. KING,
Minister of the Interior.
Interior Office,
January 17, 1895. 1621--3895-3t

Sale of Lease of the Remnants of the Government Lands Lying Between Alaenui and Puhaoa, in the Districts of Kipahulu, and Hana, Maui.

On Wednesday, January 16th, 1895, at 12 o'clock noon, at the front entrance of the Executive Building, will be sold at Public Auction, the lease of the remnants of the Government lands lying between Alaenui and Puhaoa in Kipahulu and Hana, Island of Maui, containing an area of 1500 acres, a little more or less.

Upset price \$150.00 per annum payable semi-annually in advance.

This lease is sold upon the condition that no cutting of timber or pasturing shall be allowed on the said remnants.

The Government reserves the right to take possession of such portions of the above lands as may be required from time to time for Agricultural purposes, allowing a reduction in the rental in accordance with the proportion of the land so taken.

J. A. KING,
Minister of the Interior.
Interior Office, Dec. 11, 1894.

The above sale is postponed to February 13, 1895, at the same place and hour.

J. A. KING,
Minister of the Interior.
Interior Office, January 17, 1895. 3895-3t

Sale of Government Land at Kaunama, Hamakua, Hawaii.

On MONDAY, January 7th, 1895, at 12 o'clock noon, at the front entrance of the Executive Building, will be sold at Public Auction, a tract of Government Land situate at Kaunama, Hamakua, Hawaii, containing an area of 59 acres, a little more or less.

This tract is suitable for cultivation of Cane, Coffee and other agricultural industries.

Upset price \$500.

J. A. KING,
Minister of the Interior.
Interior Office, December 3, 1894.

The above sale is postponed to February 13th, 1895, at the same place and hour.

J. A. KING,
Minister of the Interior.
Interior Office, January 17, 1895. 3895-3t

GENERAL HEADQUARTERS, REPUBLIC OF HAWAII, ADJUTANT-GENERAL'S OFFICE, HONOLULU, JAN. 16, 1895.

GENERAL ORDERS, No. 16.

The following named appointments are hereby announced for the information of the National Guard of Hawaii:

WILLIAM AUSTIN WHITING,
to be Colonel of the First Regiment, N. G. H., with rank from January 16, 1895.

WILLIAM A. KINNEY,
Aide-de-Camp General Staff, with rank of Captain, from January 16, 1895.

W. G. ASHLEY,
Quartermaster First Regiment, N. G. H., with rank of Captain, from January 11, 1895.

W. E. WALL,
elected Second Lieutenant First Com-

pany Sharpshooters, with rank from November 12, 1894.

By order of the Commander-in-Chief,
JNO. H. SOPER,
1621--3893-tf Adjutant-General.

GENERAL HEADQUARTERS, REPUBLIC OF HAWAII, ADJUTANT-GENERAL'S OFFICE, HONOLULU, Island of Oahu, H. I., January 16, 1895.

SPECIAL ORDER No. 25.

ORDER FOR A MILITARY COMMISSION.

A Military Commission is hereby ordered to meet at Honolulu, Island of Oahu, on Thursday, the 17th day of January, A. D., 1895, at 10 o'clock a. m., and thereafter from day to day for the trial of such prisoners as may be brought before it on the charges and specifications to be presented by the Judge Advocate.

The Officers composing the Commission are:

1. Colonel William Austin Whiting, First Regiment, N. G. H.

2. Lieutenant-Colonel J. H. Fisher, First Regiment, N. G. H.

3. Captain C. W. Ziegler, Company F, N. G. H.

4. Captain J. M. Camara, Jr., Company C, N. G. H.

5. Captain J. W. Pratt, Adjutant, N. G. H.

6. Captain W. C. Wilder, Jr., Company D, N. G. H.

7. First Lieutenant J. W. Jones, Company D, N. G. H.

Captain William A. Kinney, Aide-de-Camp on General Staff, Judge Advocate.

By order of the Commander-in-Chief.
(Signed) JNO. H. SOPER,
3893-11f Adjutant-General.

Arrived by the Alameda

And added to our large and selected stock of

Hardware!

Steel Garden Trowels, 5, 6 and 7 inches, Hawaiian Flags 4 1/2 to 12 feet, Wostenholm Pocket Knives, 150 dozen assorted; Stubs' Jewellers' Files; 109 dozen assorted; Door Mats, "Aloha" and plain, large assortment; Brass Blacksmiths' Rules, Steel Blacksmiths' Rules,

A FINE LINE OF

RAZORS

The best Swing Strops, Mixed White Shellac, Hair and Horse Clippers, Hunning's Transmitters, L. D. Hand

Telephones, Bull's Eye Dash Lanterns, Powder Loading Measures, Hammock Hooks, Paint Brushes, Patent Castors, Turn Buckles, etc., etc.

E. O. HALL & SON

Corner Fort and King Streets.

Notice.

THE ANNUAL MEETING OF the stockholders of the Kapoian Park Association will be held at the office of W. G. Irwin & Co., Limited, on WEDNESDAY, January 23, at 10 A. M.

W. M. GIFFARD,
3896-tf Secretary.

To Rent.

TWO UNFURNISHED ROOMS with privilege of bath. A single lady preferred, or a couple without children. Call at cottage two doors above Eagle House, Nuuanu street.

3894-2t

Lost.

A GOLD ENAMEL HAT PIN, SET with diamonds, between town and Waikiki. A reward of \$15 will be paid for its return to this office.

3895-4f



PAUL NEUMANN, COUNSEL FOR A NUMBER OF THE REBELS.

didn't like looks of them and went out to Kahala; found twenty natives there; was asked and accepted work as courier; went to other camps; saw nothing going on there; when returned was told some men had been sent to Bertelmann's; told so find Warren and get fifteen men; went along beach under footpath; saw some men of Wilcox's and sent them out there; told to find Nowlein; started out by find him; didn't know country and got lost; came back and next day started out to find Nowlein; found him at Moiliili and reported condition of Wilcox; went back and brought men to Nowlein; when took men there found Nowlein fighting with Government troops; our men answered; was tired and sleepy; crawled behind rock and went to sleep; this about 8 o'clock at night; when cannon fired next day; we went up on hill; threw urine away; saw Widemann and Greig when arrived there; after natives left us Widemann,